

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE**

**PROGRESSIVE HAWAII  
INSURANCE CORP.,**

**Plaintiff,**

**v.**

**No: 4:17-cv-49**

**ROCKY TOP WRECKER SERVICE,  
PLLC, MONTEAGLE WRECKER  
SERVICE, LLC, RODNEY KILGORE,  
CASSIE KILGORE, LARRY LAYNE,  
ASTRALEASE ASSOCIATES, INC,  
SIGNATURE FINANCIAL, LLC,  
LEMUEL JONES, and GEICO  
CASUALTY COMPANY,**

**Defendants.**

**STIPULATION OF DISMISSAL**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) Progressive Hawaii Insurance Corp. voluntarily dismisses this action without prejudice. This dismissal is filed because the underlying state court litigation has been voluntarily dismissed.

**Respectfully submitted,**

**FEENEY & MURRAY, P.C.**

**LeVAN, SPRADER, PATTON & PLYMIRE**

/s/ John Thomas Feeney

/s/ Mark S. LeVan

**John Thomas Feeney**

**Mark S. LeVan**

BPRN 11482

BPRN 12155

*Attorneys for Plaintiff*

*Attorneys for GEICO*

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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing has been forwarded by **via U. S. Mail, postage prepaid** to:

Monteagle Wrecker Service  
801 Dixie Lee Ave.  
Monteagle, TN 37356

Rocky Top Wrecker Service PLLC  
508 Forsite Ave.  
Monteagle, TN 37356

Cassie Kilgore  
508 Forsite Ave.  
Monteagle, TN 37356

Rodney Kilgore  
801 Dixie Lee Ave.  
Monteagle, TN 37356

Larry Layne  
92 Second Street  
Monteagle, TN 37356

Lemuel Jones  
1925 Hildred Street  
Jennings, MO 63136

and through the Court's ECF electronic mail service upon:

Mark S. LeVan  
Attorney for GEICO Insurance  
201 Fourth Avenue, North, Suite 1500  
Nashville, TN 37219

This the 22<sup>nd</sup> day of December, 2017.

**/s/ John Thomas Feeney**  
**John Thomas Feeney**